

Office of the Attorney General



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October 16, 2003

Hon. Ron Jones
Director, Acting as Hearing Officer
Tennessee Regulatory Authority
460 James Robertson Parkway
Nashville, Tennessee 37243

**In Re: Implementation of the Federal Communication Commission's Triennial
Review Order - 9 Month Proceeding - Switching
Docket No. 03-00491**

Consumer Advocate's Comments on Procedural Schedule

Dear Director Jones:


The Consumer Advocate has reviewed the proposed procedural order filed jointly by BellSouth and CompSouth and the procedural schedule issued by your Honor on October 13, 2003, and offers the following comment.

The Consumer Advocate is of the opinion that, in addition to the time for the filing of motions to compel established in the procedural schedule, the Hearing Officer should consider granting the parties an opportunity to file motions to compel *after* the date on which responses to discovery requests are received. A party's need to file any such motion may not come to light until the party has had time to review the discovery responses for accuracy and completeness.

The Consumer Advocate therefore would request that the Hearing Officer consider for inclusion in the procedural schedule, either through explicit dates or general recognition, time for the party to compel discovery in any instance where the actual data response served on the party

is not responsive to its interrogatory.

Sincerely,

A handwritten signature in cursive script, appearing to read "Joe Shirley".

JOE SHIRLEY
Assistant Attorney General

cc: Hon. Deborah Taylor Tate, Chairman
Parties of Record

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